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Scofield, Glenni William

Constitutional amendment

[S.I.]

[1869]

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MASTER NEGATIVE #

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CONSTITUTIONAL AMENDMENT.

REMARKS OF HON. G. W. SCOFIELD,

Delivered in the U. S. House of Representatives, January 29, 1869.

Mr. SCOFIELD. Mr. Speaker, whether the five million colored population of the United States should be excluded from all participation in the elective franchise is not, in my opinion, an open question. It has been debated in these halls and before the country for four or five years. In different ways, directly or indirectly, it has been carried into all the recent elections, and the "white man's government" dogma has always been rejected. The time of enfranchisement, and the manner of enfranchisement, I will admit, are unsettled questions, but the underlying principle of universal suffrage has been approved over and over again. How stands the question practically to-day? Why, colored men vote in twenty-two States of the Union, in the District of Columbia, and in all the Territories. In Nebraska, Iowa, Minnesota, Wisconsin, in five of the New England States, and in all the late confederate States, eleven in number, there is no restriction. In New York they vote upon a property qualification, and in Ohio, by the decision of a Democratic court, upon admixture of blood.

Mr. MUNGEN. I want to say that this is not a Democratic decision.

Mr. SCOFIELD. I understand the decision was originally made by a Democratic bench.

There are now left only fifteen States where the ballot is still withheld from men of color. It is not withheld there because a majority of the people condemn the principle, but because they did not consider that the opportune time for action had arrived, or because they had not yet agreed upon the extent and mode of enfranchisement. Enfranchisement has been coming along piecemeal, very much as emancipation came. Slavery was first abolished in the District; then in portions of the insurrectionary States by Mr. Lincoln's proclamation; then in Missouri, West Virginia, Maryland, and Tennessee; and finally, by the thirteenth amendment of the Constitution, the institution itself, with all its cruelties, crimes, and blood, was buried out of sight of the Christian world forever. Enfranchisement has followed slowly but steadily. State after State, as time and opportunity and public sentiment would admit, has given its assent to the doctrine of universal suffrage, until, as I said, in twenty States, in the District of Columbia, and all the Territories, there is no exclusion on account of color. We propose now to give the people an opportunity to consider whether the time has not at last arrived when it is safe to put the great words of the Declaration of Independence in

the Constitution itself. We are told that some of the States are not yet ready; that Connecticut, Ohio, Michigan, Missouri, and Kansas have so declared. That is not conclusive; Connecticut acted several years ago, and the majority was not large. The State would not have given its consent to emancipation a few years prior to that. In Ohio the question was coupled with the disfranchisement of deserters, and could not be decided upon its own merits. In Michigan it was buried beneath the weight of an unpopular constitution, of which it was only a single section. In Kansas it was submitted with another question not yet ripe for action. It was voted down in all of these States, not, as I believe, because the people condemned it in the abstract, but because they thought it premature, or because they found it allied with some other undesirable measure. I believe they would all approve it next year in the form we propose to present it; at least they could not take offence because they are asked for "the sober second thought."

The gentleman from Ohio [Mr. BINGHAM] proposes to attach to this proposition, which has been debated and considered, and, as I believe, substantially approved by the people, an undeserved and almost unsolicited act of grace to the cruel men who for four years drenched the land with blood, and whose implacable hate still pursues the unforgiven Unionist with persecution, banishment, and murder. If we cannot send out for the people's consideration this little boon, I should rather say this act of justice, too long withheld, to the faithful but humble friends of the Union, without again putting the elective power of the country in the hands of men who so lately foreswore and betrayed it, we had better not act at all. Both propositions would thus be defeated. If the gentleman thinks his proposition is so popular, let him try it by itself. There is no gentleman in the House to whom I listen with more pleasure than to my valued friend. He illustrates whatever he discusses. But even he cannot persuade the people to again confide in men who broke both fealty and oath in order to betray and destroy the country. Their forfeited lives and estates have been restored. Let them enjoy them. I shall not trouble myself to give back to them their old mastery at the polls. There is very little, indeed, to trouble any one. The number now excluded is very small. Outside of West Virginia, Tennessee, and Missouri, no rebel, in any organized State, is deprived of the ballot. Everywhere else disloyal men swagger to the polls without let or hindrance. There were some small obstructions in Louisiana, Alabama, and Georgia, as at first organized, but they have all been removed. In Tennessee the exclusion will be partially removed in 1871, and in Missouri the Legislature is authorized to remove it altogether after that date. So the friends of disloyal suffrage have small cause to complain.

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TITLE**